

**COUNCIL/REORGANIZATIONAL MEETING**  
**TUESDAY, JANUARY 4, 2011**  
**COUNCIL CHAMBERS**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the Pledge of Allegiance led by President Jaworski.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski  
DEPT HEADS: Present: Law, Public Works, Public Safety, Recreation, Development

**Hearings from Citizens:**

**Approval of Minutes** of regular meeting of December 20 2010.

Moved by Schiavi, seconded by Jaworski to approve the minutes of December 20, 2010 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Departmental Reports:**

1. City Compt. – AP Check Listing #19, December 15, 2010.
2. City Compt. – Statement of Cond. Of Approp. as of November 30, 2010.

Moved by Jaworski, seconded by Schiavi to receive & file departmental reports.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Communications from the Council:**

**Voting Order:**

3. To: City Council  
I request the voting order for the year 2011 to be 1<sup>st</sup> Ward, 2nd Ward, 3<sup>rd</sup> Ward, 4<sup>th</sup> Ward and Council President. Thank you in advance for your cooperation.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Szymanski to approve voting order as follows:  
1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> Wards, followed by Council President.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Council Meeting Dates 2011:**

4. To: City Council  
I recommend the attached dates for the 2011 Council Meetings. Thank you for your consideration.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Council President Pro-Tempore:**

5.      To:      City Council

I request your approval of the appointment of Geoffrey M. Szymanski for the position of Council President Pro-Tempore for the year 2011. Thank you in advance for your approval in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Kulczyk, seconded by Jaworski to receive & file, act on resolution

Yeas: Noman, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

Abstain: Szymanski

**Official Newspaper:**

6.      To:      City Council

I request your approval of the Front Page, 2703 South Park Avenue, Lackawanna, NY as the designated official newspaper for the City of Lackawanna for the year 2011. Thank you for your cooperation in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Closing of M & T Bank:**

7.      To:      City Council

With the recent decision of the State Banking Dept. to close the M&T Bank branch at 2731 South Park Ave., I feel will be a great loss to the City. It will also be a hardship and inconvenience to the residents of our City who have the convenience of this bank which is in walking distance for many. I am looking for the support of the Council to do whatever is necessary to try and save the M&T bank from closing. Thank you.

ABDUL NOMAN, 1<sup>ST</sup> WARD COUNCILMAN

Moved by Jaworski, seconded by Szymanski to receive & file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski      CARRIED 5-0

**Communications from Department/Division Heads:**

**Sale of 2901 South Park Ave:**

8. To: City Council

My office has received an offer from Matthew Nowinski, Sr. of 3473 South Park, in the amount of \$3,500. The parcel is approximately 50 x 148. The purchaser will build a storage facility along with small office on the parcel. The current assessed value for the 2010 Tax Roll is \$6,600. It is my recommendation that the City Council sell this parcel to Matthew Nowinski, Sr. for \$3,500. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Szymanski to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

**Sale of 53 Stearns:**

9. To: City Council

My office has received an offer from Thomas F. Sikorski, 57 Stearns Ave., in the amount of \$500. The parcel is approximately 45 x 107. The purchaser will build a 30 x 24 ft. garage on the parcel. The current assessed value for the 2010 Tax Roll is \$5,100. It is my recommendation that the City Council sell this parcel to Thomas F. Sikorski for \$500. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Noman to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

**Amendment to RPTL RE: Erie Wind Pilot Agreement:**

**Agreement on File in City Clerk's Office:**

10. To: City Council

Please put the attached PILOT amendment on the agenda for the council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to approve the amendment

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

**Transfer Funds-Additional Police Captain:**

11. To: City Council

After having several conversations with the Chief of Police and the Detective Captain, I realize the need for an additional police captain to oversee the Patrol Division.

I am attaching a letter from the Chief of Police that details the need for the additional captain's position. His letter explains the duties and job separation between first line (Lieutenants) and second line management (Captains) supervisors. The additional cost of a Police Captain would be minimal since we don't have to replace a lieutenant. The department currently has a sufficient number of lieutenants to cover the department shifts. I feel it is in the best interest of Public Safety that Your Honorable Body considers making the necessary transfers to fund an additional Police Captain position in the 2010-2011 City Budget. If there are any questions on this matter feel free to contact me, or Chief of Police James L. Michel, Jr.

RICHARD L. STARTEK, DIRECTOR OF PUBLIC SAFETY

Moved by Jaworski, seconded by Schiavi to receive & file, act on ordinance

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Szymanski

**Use of Senior Center – 2011 Winter Fest:**

12. To: City Council

The Lackawanna Youth Board and Bureau respectfully request your approval of the use of the Lackawanna Senior Center on Saturday, February 12, 2011, to hold our annual 2011 Winter Fest. We anticipate a large number of people will participate in the various events such as:

The Mayor's Bowl – our "Chili Cook Off"

The Hartland Carriages Horse drawn Wagon Ride

The Nickel City Reptile & Exotics animal show

Children's Activities

The festival hours are from 1 pm to 5 pm and we will need access to the building from 9:00 am.

JAMES SIERACKI

Moved by Jaworski, seconded by Szymanski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Commissioner of Deeds - Joseph Geyer & Steven Bremer:**

13. To: City Council

We are requesting Council approval to be reappointed as Commissioner of Deeds in the City of Lackawanna. Our commissions expire 12-31-2010. Thank you for your consideration.

JOSEPH GEYER STEVEN BREMER

Moved by Jaworski, seconded by Schiavi to grant the request. Szymanski,

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Resolutions:**

**Council Meeting Dates: Resolution #1, 2011**

**WHEREAS**, Chapter 3, Section 3.7 of the City of Lackawanna Charter provides for meeting dates of the Lackawanna City Council, and

**WHEREAS**, the City Council is desirous of complying with the Charter and the Open Meeting Law of New York State.

**BE IT RESOLVED**, the following meeting dates for the Council meetings or the year 2011 shall be as follows:

Tuesday January 4 (Reorganization & Regular Mtg.)	
Tuesday January 18	Monday July 11
Monday February 7	Monday August 15
Tuesday February 22	Tuesday September 6
Monday March 7	Monday September 19
Monday March 21	Monday October 3
Monday April 4	Monday October 17
Monday April 18	Tuesday November 1
Monday May 2	Monday November 21
Monday May 16	Monday December 5
Monday June 6	Monday December 19
Monday June 20	

**BE IT RESOLVED**, that all council meetings shall be held in City Hall unless deemed otherwise by the Council, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be posted on the centrally located bulletin board, the City Clerk's office and the Treasurer's office.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

Moved by Schiavi, seconded by Noman to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Szymanski Council President Pro-Tempore: Resolution #2, 2011**

**WHEREAS**, Chapter 3, Section 305 provides that the Council may select from its members a Council President Pro-Tempore who shall serve in place of the Council President in the event of the Council Presidents absence or disability, and

**WHEREAS**, the Council President Pro-Tempore, selected by the City Council shall serve as Council Pro-Tempore for a term of one year, expiring December 31, 2011; and

**NOW THEREFORE BE IT RESOLVED**, that Geoffrey M. Szymanski, 2<sup>nd</sup> Ward Council Member be and is hereby selected to be the Council President Pro-Tempore for the year 2011.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

Moved by Jaworski, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Abstained: Szymanski

**Official Newspaper-Front Page:**

**Resolution #3, 2011**

**WHEREAS**, Chapter 2, Section 2.9 of the City Charter of Lackawanna, by resolution, designates a newspaper having general circulation and published within the City to serve as the “Official Newspaper” of the City.

**NOW THEREFORE BE IT RESOLVED**, that the Front Page, 2703 South Park Avenue, Lackawanna, New York is hereby designated as the official newspaper for the City of Lackawanna.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Szymanski, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Ordinances:**

**Budget Amendment-Police Captain Position:**

AN ORDINANCE AMENDING THE 2010-2011 BUDGET ORDINANCES ADOPTED JUNE 1, 2010.

**BE IT ENACTED**, by the City Council of the City of Lackawanna, New York, as follows:

**SECTION 1:** That the 2010-2011 Budget Ordinance is hereby amended to Appropriate \$68,579, of the City’s Fund Balance to code A3120.101 Police Captains.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Jaworski, seconded by Schiavi to adopt the ordinance as written,

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Szymanski

**Sale of 53 Stearns St. to Thomas Sikorski:**

AN ORDANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107.

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York as follows:

**SECTION 1.** That the City Council hereby approved of the transfer of property known as SBL 142.63-3-20 a parcel approximately 45 feet by 107 feet to Mr. Thomas F. Sikorski.

**SECTION 2.** That transfer is made for the sum of \$500 in cash to the City of Lackawanna.

**SECTION 3.** That the purchaser/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City Of Lackawanna.

**SECTION 4.** That the Law Department shall prepare documents to be executed for the transfer of the property.

This Ordinance shall take effect immediately.

Moved by Schiavi, seconded by Jaworski to adopt the ordinance as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Sale of 2901 South Park to Matthew Nowinski:**

An Ordinance authorizing the sale/transfer of property pursuant to Municipal Section 107.

**SECTION 1.** That the City Council hereby approves of the transfer of property known as SBL 142.46-9-17.1 a parcel 50 feet by 148 feet, to Matthew Nowinski

**SECTION 2.** That transfer is made for the sum of \$3,500 in cash to the City of Lackawanna,

**SECTION 3.** That the purchaser/transferee shall be responsible for expenses to the transfer other than those specifically belonging to the City of Lackawanna.

**SECTION 4.** That the Law Department shall prepare documents to be executed for the transfer of the property.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Jaworski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

**Adjournment:**

Moved by Szymanski, seconded by Jaworski to adjourn the meeting in memory of John Haas.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

---

**CHUCK JAWORSKI, COUNCIL PRESIDENT**

---

**JACQUELINE A. CAFERRO, CITY CLERK**

